

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. Amendment to the Specification

By this paper, the specification is amended such that the Abstract of the Disclosure is replaced with a paragraph which mirrors the content of amended claim 1. Support for this amendment may be found throughout the application as originally filed including, for example, Figs. 1-3, 4A-C, and accompanying descriptive text.

B. Claim Status / Explanation of Amendments

Claims 1-11 are pending and were rejected. As to the merits, claims 1-5 were rejected pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application No. 2003/0011684 to Narayanaswami, et al. (“Narayanaswami”) in view of U.S. Patent Application No. 2002/0129255 to Tsuchiyima, et al. (“Tsuchiyima”). [1/30/08 Office Action, p. 2]. Claims 6-11 were rejected pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,963,363 to Ohmura, et al. (“Ohmura”) in view of Tsuchiyima. [1/30/08 Office Action, p. 4].

By this paper, claims 1 and 2 are amended, claims 3-11 are canceled without prejudice or disclaimer, and new claims 12-15 are added. Applicants reserve the right to pursue canceled claims in a continuing application. The cancellation of claims 3-11 renders the Section 103 rejection of these claims as moot. Claim 1 is amended to recite, *inter alia*, an “image sensing unit,” an “authentication data generating unit,” and a “storing unit.” Claim 1 is further amended such that the display unit “displays both reduced image data obtained from the image file and a

predetermined information, if the image file has the authentication data.” Claim 2 is amended to recite, *inter alia*, a “first display mode for displaying one reduced image data and a second image display mode for displaying a plurality of reduced image data.” Claim 2 is also amended to clarify where the predetermined information is displayed. Support for the amendments to claims 1-2 may be found throughout the application as originally filed including, for example, Figs. 1-3 and 4A-C along with accompanying descriptive text. Support for new claims 12 and 15 may be found, for example, in p. 4, lns. 5-7. New claim 14 is identical to claim 2, but depends from claim 13 instead of claim 1. Support for new claim 13 may be found, for example, in Figs. 7A-E and accompanying text.

No new matter will be introduced into this application by entry of these amendments. Entry is respectfully requested.

C. Claims 1-2 and 12-15 are Patentable over Narayanaswami in view of Tsuchiyama

Applicants respectfully traverse the rejection of claims 1-2 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Narayanaswami in view of Tsuchiyama. As set forth in detail below, Narayanaswami and Tsuchiyama, whether alone or in combination, fail to teach, disclose, or suggest a display unit which displays both reduced image data and predetermined information indicating the image file has authentication data if the image file does, indeed, have authentication data. Accordingly, the Section 103(a) rejection should be withdrawn.

Applicants’ claim 1, as amended, recites:

1. An image sensing apparatus comprising:
an image sensing unit that generates image data;
an authentication data generating unit that generates authentication data used to authenticate whether the image data is altered;

a storing unit that stores an image file including the image data and the authentication data in a removable memory; and

a display unit that displays both reduced image data obtained from the image file and a predetermined information, if the image file has the authentication data, wherein the predetermined information indicates that the image file has the authentication data.

Narayanaswami is directed to an image capturing system and method for automatically watermarking a plurality of recorded camera and image parameters. [Narayanaswami, Abstract]. At the outset, the Office Action asserts that Narayanaswami does not explicitly teach that the display unit is “adapted to display, in a predetermined area, information indicating that the image file has authentication data, if the image file has authentication data.” [1/30/08 Office Action, p. 2]. In attempting to overcome this deficiency the Office Action refers to Tsuchiyima which discloses a mark management server for certifying digital data based on a digital mark to enable identity authentication and data certification. [Tsuchiyima, Abstract]. The Office Action contends that Tsuchiyima is evidence that the “concept and the advantage of displaying confirmation/warning information associated with the authentication data of a digital file” is well-known in the art. [1/30/08 Office Action, p. 3].

Applicants respectfully assert, however, that Tsuchiyama is directed to an authentication system which certifies digital data whereas Applicants disclose, *inter alia*, an apparatus which notifies a user whether such authentication data is contained within the data. Thus, while Tsuchiyama discloses a system for determining whether data is authentic, Applicants claim, *inter alia*, an apparatus which displays whether such authentication is present. This is recited in Applicants’ amended claim 1 as a display unit which “displays both reduced image data obtained from the image file and a predetermined information, if the image file has the authentication data, wherein the predetermined information indicates that the image file has the authentication

data.” This deficiency cannot be remedied by the introduction of Ohmura since, by the Office Action’s own admission, Ohmura does not explicitly teach a display unit having the above elements. [1/30/08 Office Action, p. 5].

Accordingly, Applicants respectfully submit that independent claim 1 is patentably distinct from the cited references for at least this reason. New independent claim 13 also recites the above limitation and, hence, is asserted to be in condition for allowance. Since claims 2, 12, and 14-15 depend from claims 1 and 13, respectively, they are also asserted as allowable for at least similar reasons. In view of the above, the Section 103(a) rejection is respectfully traversed and Applicants respectfully submit that all pending claims are now allowable for the above reasons and early, favorable action in that regard is requested.

Applicants have chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Furthermore, Applicants have not specifically addressed the rejections of the dependent claims. Applicants respectfully submit that the independent claims from which they depend are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicants, however, reserve the right to address such rejections of the dependent claims in the future as appropriate.

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5163.

Respectfully submitted,
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By: _____

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